

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

UNITED STATES OF AMERICA	§	PLAINTIFF
	§	
VS.	§	NO. 3:16-CV-489-CWR-BWR
	§	
HINDS COUNTY, ET AL.	§	DEFENDANTS

MOTION TO REPLACE COURT-APPOINTED MONITORS

Defendants Hinds County, Mississippi, and Sheriff Tyree Jones, in his official capacity (collectively, “the County”), respectfully submit this Motion to Replace Court-Appointed Monitors, stating the following in support:

1. The County requests that the Court replace the former court-appointed monitor should the Court decide to reinstall monitoring at the County’s jail facility relative to the [169] New Injunction.

2. As an initial matter, the law of the case doctrine precludes simply reinstating the previous court-appointed monitor in light of the Court’s subsequent order finding that a receiver should be appointed to operate the County’s jail facility. Moreover, where (as here) the court-appointed monitor’s actions make clear that monitoring has come to an end, simply reinstating a monitor conflicts with the Prison Litigation Reform Act, 18 U.S.C. § 3626 (“PLRA”), and must first satisfy the PLRA’s need-narrowness-intrusiveness analysis, a showing that cannot be made at this time. Even if the Court overlooks these two fundamental flaws, the County contends it would be wholly unreasonable to reinstall the former monitor under the unique facts and circumstances here, and the County requests the Court replace the current court-appointed monitor.

3. For the foregoing reasons and those described more fully in the contemporaneously-filed supporting memorandum, the County respectfully requests that, should

the Court decide to reinstate court-appointed monitors, the former monitor (and her subject matter experts) be removed and replaced with a monitor to be determined after the respective parties are given leave to propose two names each.

Dated: March 7, 2025.

Respectfully submitted,

PHELPS DUNBAR, LLP

BY: /s/ Nicholas F. Morisani

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